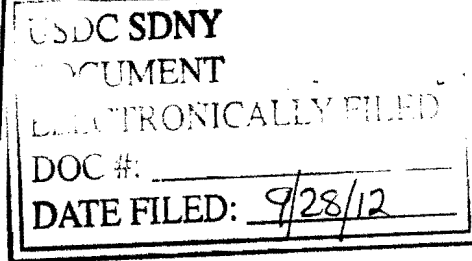


September 27, 2012



WILMERHALE

Peter J. Shen

+1 212 230 8886(u)

+1 212 230 8888(h)

peter.shen@wilmerhale.com

**By Facsimile (212) 805-4258**

Honorable Debra Freeman  
 United States Magistrate Judge  
 Southern District of New York  
 500 Pearl Street  
 New York, New York 10007

Re: Levar T. Henry v. Williams et al., 11 Civ. 2604-LTS-DCF

Your Honor:

I represent Mr. Henry, the plaintiff in this case. I am writing to request an order from the Court granting leave to take the deposition of Derek Rembert. Mr. Rembert, DIN# 12A1038, is presently incarcerated at the Sing Sing Correctional Facility, 354 Hunter Street, Ossining, New York 10562. Counsel for plaintiff would like to depose Mr. Rembert on October 4, 2012, or another acceptable date for the parties involved, but by the close of discovery in this case on October 31, 2012.

This is an action brought by Mr. Henry for, among other things, injuries sustained at the hands of certain correctional officers. Plaintiff's counsel seeks to take the deposition of Mr. Rembert because he is a witness to the actions by these correctional officers that caused the injuries that Mr. Henry suffered.

Accordingly, pursuant to Fed. R. Civ. P. 30(a)(2)(B), Plaintiff respectfully requests the Court to enter an order granting Plaintiff's counsel leave to depose Mr. Rembert by October 31, 2012. *granted*

Respectfully,

Peter J. Shen

SO ORDERED: DATE: 9/28/12

DEBRA FREEMAN  
 UNITED STATES MAGISTRATE JUDGE

cc: Elissa B. Jacobs, Assistant Corporation Counsel  
 Attorney for Defendants